S.B.Criminal Revision Petition No.1099/2007

Shantilal & Ors.
V.
State of Rajasthan

Date of Order :: 23rd October, 2007

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. S.S.Shaktawat, for the petitioners.
Mr. Vishnu Kachhawaha, Public Prosecutor.

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By this petition under Section 397 read with 401 Cr.P.C. a challenge is given to the order dagted 26.7.2007 and 27.7.2007 passed by learned Additional Sessions Judge No.2, Chittorgarh Camp Begun framing charges against the petitioners under Sections 148, 307 or 307/149, 326 or 326/149, 341, 323 or 323/149 IPC.

The contention of counsel for the petitioners is that no charge for offence under Section 307 IPC could have been framed against the petitioners as from facts it reveals that the ingredients for framing such a charge were not available.

I have gone through the orders impugned and also the other material placed on record.

From perusal of the orders impugned it is clear that the petitioners are alleged to attack upon

the complainant with sharp edged and other lethal weapons. The court while framing the charges is not required to make a threadbare inquiry and is only required to satisfy itself prima facie that essential ingredients of the charge sought to be levelled exists. From perusal of the record I am satisfied that no error is committed by the court subordinate while framing the charge for commission of offence under Section 307 or 307/149 IPC.

The revision petition, therefore, does not warrant any interference of this Court in its revisional jurisdiction. Accordingly, the same is dismissed.

(GOVIND MATHUR),J.

Kkm/ps.